

MICHAEL CAPONE, ESQ.

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RELEVANT EXPERIENCE

Arbitrator and Mediator

December 2010 – present

Professional neutral concentrating in the arbitration and mediation of labor and employment disputes. Alternative dispute resolution including grievance arbitration, employment arbitration, mediation, facilitation and fact-finding.

MTA Long Island Rail Road and Long Island Bus

1987- 2011

- Directed and managed grievance arbitration and contract negotiations at all levels for both agencies.

Transport Workers Union (Local 252) Representative (Bus Operator) 1981-1987

- Held shop steward, executive board, and trustee positions. Regularly represented bus operators in grievance/disciplinary hearings, conferences and arbitrations.
- Advised the president on all matters, including collective bargaining and contract interpretation.

EDUCATION

- **Touro College Jacob D. Fuchsberg Law Center**, Huntington, NY
Juris Doctorate: May 1995 Honors: Academic Excellence Award
Activities: Alternative Dispute Resolution Club
- **State University of New York**, Old Westbury, NY
B.A. Economics 1980 Honors: Academic Achievement Award
Dean's List

CERTIFICATIONS

- Law New York 1996
- United States District Court for the Eastern and Southern Districts

PROFESSIONAL AFFILIATIONS & TRAINING

- Completed Mediation Training, Community Mediation Center, Coram, NY
- Member, New York State Bar Association: Law and Employment Section; Labor Arbitration Committee, and Dispute Resolution Section
- Member, Labor and Employment Relations Association (LERA) – New York City and Nassau County Chapters

INDUSTRIES

Transportation, Railroads, Police and Fire, Airlines, Airport Maintenance, Private Sector
Manufacturing, Municipalities, Office Workers/Clerical, Communications.

ISSUES

Absenteeism; Arbitrability; Bargaining Unit Work; Conduct (off-duty/personal); Demotion; Discipline (Discharge/Non-Discharge); Differentials; Race, Sex, Drug/Alcohol Offenses; Fringe Benefits; Bonus; Vacation; Holidays; Leaves; Grievance Mediation; Job Performance; Jurisdictional Disputes; Management Rights; Past Practice; Pension and Welfare Plans; Promotions; Retirement; Safety/Health; Seniority; Sexual Harassment; Subcontracting/Contracting Out, Overtime Pay; Work Hours; Scheduling, Assignments; Working Conditions; Job Classification; Violence or Threats.

ARBITRATION ROSTERS & PANELS

Bombardier Transportation (USA) & IBEW Local No. 589

Federal Mediation and Conciliation Service

Liberty Lines (Westchester County) & Transport Workers Union, Local 100

National Mediation Board

- National Railroad Adjustment Board (First, Third and Fourth Divisions)
- Public Law Board No. 7523 - Massachusetts Bay Commuter Rail (MBCR) Transportation Communications Union (TCU) Clerks
- Public Law Board No. 7525 MBCR & National Conference of Firemen & Oilers SEIU
- Public Law Board No. 7538 MBCR & TCU (Carmen)
- Public Law Board No. 7693 National Railroad Passenger Corporation (Amtrak) & Brotherhood of Railroad Signalmen
- Special Board of Adjustment No. 975 – New Jersey Transit (NJT) & TCU/IAM
- Special Board of Adjustment No. 1043 –NJT & United Transportation Union
- Special Board of Adjustment No. 959 – Metro-North Railroad & Association of Commuter Railroad Employees

New Jersey State Board of Mediation

New York City's Office of Collective Bargaining – Register of Neutrals

New York City Transit & Transport Workers Union, Local 100 – Expedited Arbitration Panel

Public Employment Relations Board – Private Sector Pro Bono Panel (2010-2012)

References and writing samples furnished upon request